

F-6461

Ser. No. 09/516,718

REMARKS

Claims 1-20 remain pending in this application. Claims 1-20 are rejected.

The applicant and applicant's attorney appreciate the Examiner's granting of the telephone interview conducted on January 24, 2003, and extend their thanks to the Examiner and his supervisor for their time and consideration.

During the interview the rejection of claims 1-20 as obvious over the Nonaka reference under 35 U.S.C. §103(a) reference was discussed. It was explained that the response filed November 27, 2002, argued that the Nonaka reference was insufficient to support the Examiner's contention that the reference inherently disclosed the features of the independent claims, in particular, a sensor having power applied thereto via a switch which is controlled by a control circuit which turns off the power in response to receiving output from the sensor.

In the Office Action the Examiner theorized that it would be inherent for the device of the reference to have a power supply switch. However, the concept that a reference inherently discloses material anticipating a claimed invention may not be relied upon where the consequences of following the reference disclosure does not always inherently produce the results of the claimed invention. *W.L. Gore Assoc., Inc. v. Garlock, Inc.*, 220 USPQ 303, 314 (Fed. Cir. 1983). It is respectfully submitted that one following the teachings of the cited reference would

F-6461

Ser. No. 09/516,718

not arrive at the claimed invention with any certainty. During the interview it was explained that the Nonaka reference did not show a switch for switching power to a sensor and the contention that such switch would be inherent could not be supported by the reference because one following the reference as a guide would not be led with any certainty to include such a switch controlled as claimed. Agreement was reached that the reference was not strong enough to support an inherent disclosure of the claimed switch.

Furthermore, claim 5 was discussed wherein the control circuit is further defined as having a means for detecting completion of reception of sensor module output. The Examiner's supervisor expressed his opinion that such subject matter was not disclosed by the Nonaka reference.

Finally, it is called to the Examiner's attention that the Nonaka reference does not provide a disclosure of controlling power to a data line based upon completion of reception of a sensor output.

It was concluded that prosecution would be reopened and this is confirmed in the Interview Summary of January 24, 2002. Therefore, the statutory six month period does not continue to run. It is respectfully requested that the Examiner contact applicant's attorney if understanding of the present status is not mutual.

3 F6461 resp02 to OA2 (PC 10).wpd

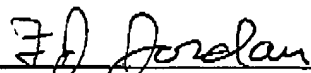
F-6461

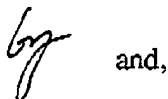
Ser. No. 09/516,718


Applicant respectfully requests a two month extension of time for responding to the Office Action. Please charge the fee of \$410.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
Jordan and Hamburg LLP

By 
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicants

 and,

By 
Herbert F. Ruschmann
Reg. No. 35,341
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

FAX RECEIVED

JAN 27 2003

TECHNOLOGY CENTER 2800

4 F6461 resp02 to OA2 (PC 10).wpd